THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION No. 14959 of 2000

Dt:31.01.2006

Between:

Water Users Association

.. Petitioner

and

The Principal Secretary and others

.. Respondents

ORDER:

Heard both the parties and perused the material on record.

The petitioner is the Water Users Association of Nalla Cheruvu, Puligilla village, Warangal District. This writ petition is filed seeking a declaration that the alleged action of the respondents in not considering the request of the Ayacutdars to construct a sluice to field channel 4L of Sri Ram Sagar Project so as to have perennial source to fill up the tank Nalla Cheruvu, as arbitrary and illegal and for a consequential direction to the respondents to construct sluice to 4L field channel of Sri Ram Sagar Project for providing water to Nalla Cheruvu.

The petitioner alleges that in spite of several requests made by the Ayacutdars as well as the petitioner-association, the respondents failed to take any action. It is also stated that the petitioner-association made a representation, dated 27.07.2000,

requesting the fourth respondent-Executive Engineer to take necessary action for providing water to Nalla Cheruvu from Sri Ram Sagar Canal. Similar representations have also been made subsequently.

However, in the counter-affidavit filed by the third respondent, Superintending Engineer, it is pleaded that no such representations were received by the respondents.

Having regard to the nature of the controversy involved, without expressing any opinion with regard to the claim of the petitioners for construction of sluice to the field channel in question, I deem it appropriate to dispose of the writ petition with a direction to the respondents 3 and 4 to consider the request made by the petitioner-association and other Ayacutdars and to take necessary action in accordance with law.

The writ petition is accordingly disposed of granting liberty to the petitioner-association to make an appropriate representation putting forth its grievance, within a period of two weeks from today, in which event, respondents 3 and 4 shall consider the same and take necessary action in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of such representation. There shall be no order as to costs.

31.01.2006

kdl